

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

RULE REPEAL AND PROMULGATION: DMR Regulation 95.04 W, Closed Area No. 47, Bar Harbor, promulgated January 25, 1988, is repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.04 W, Closed Area No. 47, Bar Harbor.

1. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters and mussels from the shores, flats and waters of Bar Harbor, Hancock County, inside of a line drawn from the easternmost point of Lookout Point, Bar Harbor and vicinity, easterly to the westernmost point of Sheep Porcupine Island, Gouldsboro; thence southeasterly to the westernmost point of the Thrumcap in the Town of Bar Harbor, then running southwesterly to the nearest point of land (about 500 yards) southeast of Bear Brook outlet.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. Section 6204).

EFFECTIVE DATE: January 26, 1990

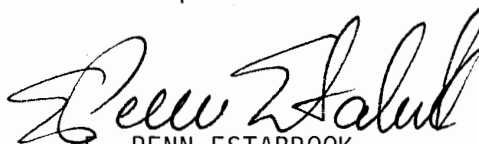
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BANGOR DAILY NEWS
January 31, 1990

STATEMENT OF FACT AND POLICY

As authorized by 12 M.R.S.A. Sections 6172 and 6192, the Commissioner of the Maine Department of Marine Resources repeals the regulation of January 25, 1988, and enacts a new regulation in its place. This new regulation enlarges the previous closure by extending the closure southward to include the shores, flats and waters in the vicinity of Door Point, Sols Cliff and Seeley Cove.

Department personnel have recently completed shoreline surveys and water quality analysis of the newly closed area have found intermittent microbiological pollution and individual overboard discharges. Consequently, Closed Area No. 47 has been expanded to protect the public health.


E. PENN ESTABROOK
Deputy Commissioner



Maine Department of Marine Resources

Legal Notice of Shellfish Closure Area

For: Bar Harbor

C47 - Bar Harbor 1/26/90

